

July 23, 2009

STEVEN M. LARIMORE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMIUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDAFELIX JOSE ORTIZ PULLEY,  
Plaintiff,

v.

U.S. DEPT. OF JUSTICE  
DRUG ENFORCEMENT ADMIN.  
Defendants.

Civil Case No:

Judge **09-CV-61104-Cohn/Seltzer**COMPLAINT UNDER THE  
FREEDOM OF INFORMATION AND PRIVACY ACTS

COMES NOW, Felix Jose Ortiz Pulley, Plaintiff, pro se, and state the following as his cause of action:

JURISDICTIONAL STATEMENT

1. This cause of action arises under the provisions of the Freedom of Information and Privacy Acts, 5 USC and 5 USC(a), and this Court has jurisdiction and venue in this matter by virtue of the provisions of 5 USC 552(a)(4)(B).
2. The Palintiff was sentenced in the United States District Court and presently resides in Beaumont, Texas.
3. On or about March 17, 1976, the United States Drug Enforcement Administration prepared a report of investigation concerning the Plaintiff, which was ordered by the Court.
4. The Defendant is a Department of the Executive Branch of the United States Government and has among its constituent agencies, the United States Drug Enforcement Administration herein also named as a defendant.
5. The United States Drug Enforcement Administration is an agency within the meaning of the term "agency" as that term is used in the Freedom of Information and Privacy Act.

dat / div. Brown  
Case # 09 CV 61104  
Judge Cohn Seltzer  
Motn lfp \_\_\_\_\_  
Receipt # \_\_\_\_\_

COUNT I

1. The allegations contained in paragraph 1 through 5 of the jurisdictional statement are incorporated herein as though fully set forth herein.
2. The United States Drug Enforcement prepares and maintains a system of records pertaining to report of investigation on offenders who are investigated by the United States Drug Enforcement Administration.
3. On May 22, 2009, the Plaintiff did make a request in writing for his report of investigation within the system of records maintained by the said United States Drug Enforcement Administration.
4. The United States Drug Enforcement Administration did fail, refuse, and neglect to comply with the Plaintiff's request.
5. On June 17, 2009, the Plaintiff elected to treat the failure of the United States Drug Enforcement Administration to respond to the Plaintiff's request as a denial of his request and did not file an appeal because he did not receive any previous notice of his request.
6. The Plaintiff brings this civil action for the purpose of compelling the Defendant to disclose to the Plaintiff his entire report of investigation as maintained within its system of records of the United States Drug Enforcement Administration which was specified in the Plaintiff's FOIA/PA request which was received by the United States Drug Enforcement Administration together with any other records pertinent to the said request.

WHEREFORE, the Plaintiff prays on Order of the Court directing the Defendants to disclose to the Plaintiff all of the Plaintiff's report of investigation as maintained in its system of records in the offices of the United States Drug Enforcement Administration that are respective to the Plaintiff's request

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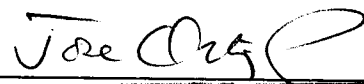
of May 22, 2009, together with costs of this action and an allowance for reasonable attorney's fees, and for such other and further relief as to the Court shall seem just and proper in the premises.

ATTESTATION  
FOIA COMPLAINT

UNITED STATES DISTRICT COURT       )  
UNITED STATES OF AMERICA       )       ss.  
SOUTHERN DISTRICT OF FLORIDA       )

COMES NOW, Felix Jose Ortiz Pulley, Plaintiff, pro se, in the above entitled cause of action, and upon his oath does depose and state that the allegations contained in the foregoing complaint are true and correct according to his best knowledge, information, and belief, and that he does so state under the pains and penalties of perjury.

Date: July 21, 2009.



Felix Jose Ortiz Pulley #21373-076  
FCC Beaumont-Low Unit SB  
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Beaumont, TX 77720-6020